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Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

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MEETING OF THE STATES PARTIES TO THE CONVENTION AGAINST TORTURE AND OTHER CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT

Seventh Meeting

SUMMARY RECORD OF THE 10th MEETING

Held at the Palais des Nations, Geneva,
on Wednesday, 24 November 1999, at 10 a.m.

Temporary Chairman: Mr. GAHAM (Representative of the Secretary-General)

Chairman: Ms. FOSTIER (Belgium)

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The meeting was called to order at 10.50 a.m.

OPENING OF THE MEETING BY THE REPRESENTATIVE OF THE SECRETARY-GENERAL OF THE UNITED NATIONS (item 1 of the provisional agenda)

1. The TEMPORARY CHAIRMAN, speaking on behalf of the High Commissioner for Human Rights, declared open the Seventh Meeting of the States parties to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. Since the Sixth Meeting on 26 November 1997, the number of ratifications of or accessions to the Convention had increased from 104 to 118, and he warmly welcomed the representatives of the new States parties attending the Meeting for the first time.

2. Briefly reviewing the work of the Committee, he said that during the four sessions held since the last meeting of States parties in 1997, the Committee had considered reports submitted by 33 States. Under article 22, the Committee had registered 150 individual complaints in the past 10 years. The results of two confidential inquiries conducted under article 20 had been made public; four other inquiries were in progress. The Committee had also pursued its efforts to strengthen cooperation with the Special Rapporteur of the Commission on Human Rights on questions relating to torture, the Board of Trustees of the United Nations Voluntary Fund for Victims of Torture and the European Committee for the Prevention of Torture.

3. Amendments adopted in 1992 by a Conference of the States parties to finance the Committee's activities under the regular budget had been endorsed by the General Assembly, but they had not yet been able to enter into force, because they had not yet been approved by two-thirds of the States parties; accordingly, he asked all States parties that had not already done so to take appropriate action so that the financing of the Committee under the regular budget could become a reality, in keeping with the wishes of the General Assembly.

4. The High Commissioner for Human Rights had expressed the hope that the Secretariat could be strengthened as much as possible so that it could respond to the activities of the treaty-monitoring bodies.

ELECTION OF THE CHAIRMAN (item 2 of the provisional agenda)

5. Mr. LYNE (United Kingdom of Great Britain and Northern Ireland) nominated Ms. Fostier (Belgium) for the office of Chairman.

6. Mr. PALIHAKKARA (Sri Lanka) supported Mr. Lyne's proposal.

7. Ms. Fostier (Belgium) was elected Chairman by acclamation and took the Chair.

ADOPTION OF THE AGENDA (item 3 of the provisional agenda) (CAT/SP/22)

8. The CHAIRMAN said that if she heard no objection, she would take it that the Meeting of the States Parties wished to adopt the provisional agenda (CAT/SP/22).

9. It was so decided.

10. The CHAIRMAN said that, in accordance with rules 2 and 3 of the rules of procedure of the Meeting of the States parties adopted by the States parties at their First Meeting on 26 November 1987 (CAT/SP/2/Rev.1), the Secretary-General, in his note of 22 October 1999, had invited the States parties to send representatives to the Seventh Meeting and to forward the credentials of the representatives to him as soon as possible and in any case no later than one week before the date of the Meeting. The Secretary-General had yet to receive proper credentials from some of the States parties represented at the Meeting. She proposed that, in accordance with rule 3, the representatives of those States parties should be entitled provisionally to participate in the Meeting, and she urged them to ensure that their credentials were submitted to the Secretary-General as soon as possible.

11. It was so decided.

ELECTION OF OTHER OFFICERS OF THE MEETING (agenda item 4)

12. The CHAIRMAN said that, under rule 4 of the rules of procedure, the Meeting was required to elect one to four vice-chairmen from among the representatives of the States parties. At the Sixth Meeting, the States parties had decided to elect one vice-chairman only. She proposed that, if there was no objection, they should again elect only one vice-chairman.

13. It was so decided.

14. Ms. RODRIGUEZ-MANCIA (Guatemala) nominated Ms. Ruiz de Angulo (Costa Rica) for the office of Vice-Chairman.

15. Mr. BAUMANIS (Latvia) supported Ms. Rodriguez-Mancia's proposal.

16. Ms. Ruiz de Angulo (Costa Rica) was elected Vice-Chairman by acclamation.

ELECTION OF FIVE MEMBERS OF THE COMMITTEE AGAINST TORTURE TO REPLACE THOSE WHOSE TERMS OF OFFICE WILL EXPIRE ON 31 DECEMBER 1999, IN ACCORDANCE WITH ARTICLE 17, PARAGRAPHS 1 TO 5, OF THE CONVENTION: NOTE BY THE SECRETARY-GENERAL (agenda item 5) (CAT/SP/23 and addenda)

17. The CHAIRMAN said that, under article 17 of the Convention, the five members of the Committee would be elected by secret ballot from a list of persons nominated by States parties. They would serve for a term of four years beginning on 1 January 2000.

18. The names of the candidates nominated by the States parties were contained in document CAT/SP/23. Mexico had withdrawn its candidate to the elections. Annex I to document CAT/SP/23 contained the names of the five members of the Committee whose terms were due to expire on 31 December 1999, and annex II contained the names of the five members who would continue to serve on the Committee until 31 December 2001. Biographical data of the persons nominated, as furnished by the States parties concerned, appeared in annex III to that document.

19. At the invitation of the Chairman, Ms. Grambye (Denmark) and Mr. Guillermet (Costa Rica) acted as tellers.

20. A vote was taken by secret ballot.

The meeting was suspended at 11.25 a.m. and resumed at 12.05 p.m.

21. The CHAIRMAN announced the results of the ballot, which were:

Number of ballot papers:	95
Invalid ballots:	0
Valid ballots:	95
Abstentions:	0
Representatives voting:	95
Required majority:	48
Votes obtained:	
Mr. Mohammed Abdullah AL-ANSARI (Kuwait):	37
Mr. Peter Thomas BURNS (Canada):	73
Mr. Guilbril CAMARA (Senegal):	60
Ms. Felice GAER (United States of America):	75
Mr. Alejandro GONZÁLEZ POBLETE (Chile):	67
Mr. Andreas MAVROMMATIS (Cyprus):	76
Ms. Maria PINIOU-KALLI (Greece):	54
Mr. Wilfredo SÁENZ FERNÁNDEZ (Panama):	18

22. Having obtained the required majority and the largest number of votes, Mr. Burns (Canada), Mr. Camara (Senegal), Ms. Gaer (United States of America), Mr. González Poblete (Chile) and Mr. Mavrommatis (Cyprus) were elected members of the Committee for a four-year term beginning 1 January 2000.

OTHER MATTERS (agenda item 6)

23. Ms. RUIZ de ANGULO (Costa Rica) referred to the efforts of the Working Group on a draft optional protocol to establish a mechanism for the prevention of torture. Although many passages were still under discussion, the consolidated text prepared in autumn 1999 could serve as a starting-point for producing an instrument that was based on confidentiality and cooperation with States and which could make a tangible contribution to preventing torture. She hoped that all States parties would support the efforts of the Working Group so that the optional protocol could soon become a reality.

24. Mr. VIGNY (Switzerland) said that the idea of a draft optional protocol had arisen out of a 1992 initiative by Costa Rica and Switzerland. Progress made by the Working Group, which met two weeks annually, had reached a crucial stage, and Switzerland hoped that an effective protocol could soon be adopted. Such an instrument was of the utmost importance, because it

would create a mechanism for the prevention of torture based on a system of visits that could be carried out at any time and in any place. He called on all States parties to cooperate with the Working Group so that the draft protocol could be adopted as soon as possible.

25. Mr. KEBBON (Sweden) welcomed the developments at the latest meeting of the Working Group on an optional protocol to the Convention. The fact that it had been possible to consolidate some of the most difficult articles boded well for the future. Sweden agreed with the Chairman of the Working Group on the need to conduct inter-sessional consultations so as to make progress before the Working Group's next meeting.

The meeting rose at 12.15 p.m.